

Annual Town Meeting, Monday, April 23, 2012

Marshfield's Annual Town Meeting was called to order on Monday, April 23, 2012 at Marshfield High School. The meeting was convened at 7:00 PM. Annual Town Meeting was adjourned at 7:10PM and Special Town Meeting was convened. All twelve articles were completed. Special Town Meeting was dissolved at 8:55 PM and Annual Town Meeting was convened at 9:00PM. Articles 1-5 were voted and the meeting was adjourned at 10:35PM. Annual Town Meeting was reconvened Tuesday, April 24, 2012 at 7:15PM. All articles were voted on and the meeting was dissolved at 10:25PM.

Town Meeting workers included: Rogene Baryski, Kay Ramsey, Madelyn Radley, Joe Pecevich, Susan Flynn, Terry Wening, Paula Buckley, Steve Barber, Barry Bartlett, Karen O'Donnell and Narice Casper. Counters were Jim Haddad, Jim Creed, Jack Cantwell, Barry Bartlett, Jean McDonald, Jack Braithwaite, Barry Cornwall, Reed Stewart, Otis Carney, Martine Anderson and Madeline McDonald.

ARTICLE 1 The Town **VOTED** to receive the reports of the Town Officers and Committees and to act thereon.

PASSED BY MAJORITY

ARTICLE 2 The Town **VOTED** to establish the salaries and compensation of all elected Town Officers for fiscal year 2013 and raise and appropriate \$66,446 from the FY 2013 tax levy to pay the same.

Selectmen	\$ 3,417	(Chairman \$1,229, 2 members \$1,094)
Assessors	\$ 3,687	(Chairman \$1,363, 2 members \$1,162)
Public Works	\$ 2,180	(Chairman \$816, 2 members \$682)
Planning Board	\$ 1,120	(Chairman \$320, 4 members \$200)
Board of Health	\$ 1,460	
Town Clerk	\$54,490	
Moderator	<u>\$92</u>	
	\$66,446	

PASSED BY MAJORITY

ARTICLE 3 The Town **VOTED** to approve the capital projects set forth on the spreadsheet published as Article 3 in the 2012 Annual Town Meeting warrant, beginning on page 3 and that said projects be funded by transfers from available funds in the amount of \$1,691,000 as indicated in that spreadsheet and borrowing in the amount of \$3,545,000 as indicated in that spreadsheet, and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$3,545,000 under Massachusetts General Laws, Chapter 44, Section 7 for the General, Water and Sewer Fund purposes set forth in the column of that spreadsheet entitled "Project/Program".

PASSED BY 2/3rds VOTE

DEPARTMENT	PROJECT/PROGRAM	FY13 Request	FY 13 CBC Recommendation	Funding Source/Comment
Facilities Director	Town wide Capital Assessment/Facilities Index including ADA	\$250,000	\$182,000	Borrowing pursuant to MGL Chapter 44
Fire Department	Replace Station 1 - Ocean Bluff	\$1,500,000	\$0	
	Replace Station 1 - Ocean Bluff - Design, Preparation of plans and bid documents	\$0	Recommendation in separate article in STM at \$100,000	To be voted as a separate article in Special Town Meeting in order to start the project as soon as possible to be able to bring forward a construction proposal at fall STM
	Replace Engine 4 - 1988 Maxim 1000 GPM Pumper	\$466,000	\$0	
	Replace Car C-1 - 2002 Chevrolet (Hybrid - \$21,574 additional)	\$39,000	\$39,000	Borrowing pursuant to MGL Chapter 43
	Replace Firefighting Protective Equipment	\$35,000	\$35,000	Borrowing pursuant to MGL Chapter 44
	Replace Self Contained Breathing Apparatus	\$66,000	\$66,000	Borrowing pursuant to MGL Chapter 44
	Replace Service Truck S-4 - 1997 GMC	\$25,000	\$0	
Planning Board	Master Plan	\$113,000	Recommendation in separate article in ATM at \$113,000	To be voted as a separate article in Annual Town Meeting sponsored by Planning Board
Police-all Public Safety	Narrowbanding communication project	\$403,000	\$403,000	Borrowing pursuant to MGL Chapter 44
DPW - Cemetery	1998 Chevy PU Truck #164 mileage - 173,862	\$40,000	\$0	
	Bucket Truck	\$200,000	\$200,000	Borrowing pursuant to MGL Chapter 44 for \$140,000, Transfer \$20,000 from Solid Waste Retained Earnings, Transfer \$20,000 Water Retained Earnings and Transfer \$20,000 from Waste Water Retained Earnings
	Deck Mower - Enclosed Can 16 ft wide	\$95,000	\$0	
DPW - Engineering	Stormwater NPDES MS4 Requirements	\$50,000	\$0	
	Dribblek Way Bridge Repairs	\$300,000	\$140,000	Borrowing pursuant to MGL Chapter 44
	Seawalls and Riprap including Coastal Storm Damage Feasibility Study	\$6,800,000	\$500,000	Borrowing pursuant to MGL Chapter 44
DPW - Highway	DPW Highway Garage Repair & Expand, Design & Construction	\$75,000	\$0	
	Road Reconstruction	\$250,000	\$0	
	Salt Shed replacement Clay Pitt Road	\$100,000	\$0	
	Highway Veh 42 2001 Int Dump	\$250,000	\$0	
	Replace PU Trucks #31 & 68	\$90,000	\$90,000	Borrowing pursuant to MGL Chapter 44

DEPARTMENT	PROJECT/PROGRAM	FY13 Request	FY 13 CBC Recommendation	Funding Source/Comment
Info Technology	Microsoft Office 2010 Upgrade	\$45,000	\$45,000	Borrowing pursuant to MGL Chapter 44
	WAN Infrastructure Upgrade	\$194,000	\$0	
	X Workstation/Laptop Replacement (19) & Technology Upgrade	\$29,000	\$29,000	Borrowing pursuant to MGL Chapter 44
Harbormaster	Ridge Road boat ramp and dock repairs	\$25,000	\$25,000	Transfer from Waterways Fund
	Green Harbor piers dock replacement	\$60,000	\$0	
	South River dredging	\$200,000	\$200,000	Borrowing pursuant to MGL Chapter 44
	Harbor Plan	\$40,000	\$26,000	Borrowing pursuant to MGL Chapter 44
General Fund Total		11,740,000	1,980,000	
Solid Waste	Excavator Replace Link Belt #130 PC200 equivalent	\$250,000	\$250,000	Transfer \$250,000 from Solid Waste Retained Earnings
	Vehicle replacement # 119	\$40,000	\$40,000	Transfer \$40,000 from Solid Waste Retained Earnings
	Solid Waste Enterprise Total	\$290,000	\$290,000	
Waste Water	Collection System Repairs	\$150,000	\$150,000	Transfer \$150,000 from Waste Water Retained Earnings
	Replace pickup #97	\$45,000	\$45,000	Transfer \$45,000 from Waste Water Retained Earnings
	Design & construction of Screening & Grit removal facility	\$4,200,000	Recommendation in separate article in STM at \$4.2M	To be voted as a separate article in Special Town Meeting in order to start the project as soon as possible and qualify for State Revolving Fund financing
Waste Water Enterprise Total	Replace car #100	\$35,000	\$35,000	Transfer \$35,000 from Waste Water Retained Earnings
	Plymouth Ave pump station Design phase	\$150,000	\$150,000	Transfer \$150,000 from Waste Water Retained Earnings
		\$4,580,000	\$380,000	

DEPARTMENT	PROJECT/PROGRAM	FY13 Request	FY 13 CBC Recommendation	Funding Source/Comment
Water	Proposed Water Barn design phase	\$75,000	\$75,000	Transfer \$75,000 from Water Retained Earnings
	Meter replacement	\$125,000	\$125,000	Transfer \$125,000 from Water Retained Earnings
	Water Main upgrades	\$120,000	\$120,000	Transfer \$120,000 from Water Retained Earnings
	Fair grounds pump station design & well construction	\$250,000	\$250,000	Borrow \$250,000 pursuant to MGL Chapter 44
	South River St. Water Main Phase II	\$1,800,000	\$1,800,000	Transfer \$400,000 from Water Retained Earnings and borrow \$1,400,000 pursuant to MGL Chapter 44
	Well cleaning and rehab	\$41,000	\$41,000	Transfer \$41,000 from Water Retained Earnings
	Replace back hoe 710 #180	\$105,000	\$105,000	Transfer \$105,000 from Water Retained Earnings
	Replace Inspector vehicle 192 and PU 184	\$70,000	\$70,000	Transfer \$70,000 from Water Retained Earnings
	Water Enterprise Total	\$2,586,000	\$2,586,000	
	Grand Total All Funds	19,196,000	5,236,000	
Sources for those projects voted in this article only:				
	Waterways Fund		\$25,000	
	Borrowing supported by tax levy		\$1,895,000	
	Water Enterprise Retained Earnings		\$956,000	
	Wastewater (Sewer) Enterprise Retained Earnings		\$400,000	
	Solid Waste Enterprise Retained Earnings		\$310,000	
	Enterprise Fund Borrowing supported by user fees		\$1,650,000	
	Total		\$5,236,000	

ARTICLE 4 The Town **PASSED OVER** transferring a sum of money into the Stabilization Fund.

PASSED OVER

ARTICLE 5 The Town **VOTED** to raise and appropriate \$73,925,940 and to meet said appropriation
raise \$73,222,140 from the FY 2013 tax levy,
transfer \$35,000 from Cemetery Perpetual Care Interest,
transfer \$12,800 from Overlay Surplus,
transfer \$20,000 from Licensing & Keeping of Dogs,
transfer \$26,000 from Wetland Protection Fund,
transfer \$20,000 from Waterway Improvement Fund and transfer
\$590,000 from Free Cash to defray Town expenses, debts and other charges from July 1, 2012 to June 30, 2013 in the manner set forth in Article 5 of the warrant, and as also set forth beginning on page 7 of the booklet for the 2012 Annual Town Meeting.

Department	FY11		FY12		FY13 Advisory
	Expended		Budget		Board Recommended
Selectmen Salaries	\$	236,693	\$	257,582	\$ 255,132
Selectmen Expenses	\$	208,178	\$	216,970	\$ 193,940
Selectmen Total	\$	444,871	\$	474,552	\$ 449,072
Facilities Salaries	\$	24,635	\$	93,000	\$ 93,000
Facilities Expenses	\$	-	\$	7,000	\$ 157,000
Facilities Total	\$	24,635	\$	100,000	\$ 250,000
Reserve Fund	\$	85,080	\$	100,000	\$ 100,000
Town Acct Salaries	\$	167,853	\$	166,820	\$ 175,197
Town Acct Expenses	\$	4,117	\$	3,939	\$ 3,939
Town Acct Total	\$	171,970	\$	170,759	\$ 179,136
Assessors Salaries	\$	209,306	\$	212,157	\$ 214,111
Assessors Expenses	\$	57,427	\$	56,950	\$ 69,750
Assessors Total	\$	266,733	\$	269,107	\$ 283,861
Treas Coll Salaries	\$	337,162	\$	339,556	\$ 339,556
Treas Coll Expenses	\$	33,436	\$	34,380	\$ 34,380
Treas Coll Total	\$	370,599	\$	373,936	\$ 373,936
Audit	\$	50,000	\$	60,000	\$ 60,000
Legal	\$	152,116	\$	170,000	\$ 170,000
Info Technlgy Salaries	\$	118,008	\$	148,475	\$ 148,490
Info Technlgy Expenses	\$	159,415	\$	151,668	\$ 151,668
Info Technlgy Total	\$	277,423	\$	300,143	\$ 300,158
Town Clerk Salaries	\$	47,472	\$	51,732	\$ 51,732
Town Clerk Expenses	\$	2,405	\$	4,110	\$ 4,110
Town Clerk Total	\$	49,877	\$	55,842	\$ 55,842

Department	FY13 Advisory Board		
	FY11 Expended	FY12 Budget	Recommended
Elections/Bd of Reg	\$ 49,856	\$ 35,450	\$ 65,450
Conservation Salaries	\$ 98,824	\$ 98,839	\$ 98,885
Conservation Expenses	\$ 8,516	\$ 8,580	\$ 8,580
Conservation Total	\$ 107,340	\$ 107,419	\$ 107,465
Planning Bd Salaries	\$ 118,155	\$ 119,745	\$ 121,284
Planning Bd Expenses	\$ 1,840	\$ 1,898	\$ 1,898
Planning Bd Total	\$ 119,994	\$ 121,643	\$ 123,182
Zoning Bd of App Salaries	\$ 27,559	\$ 27,574	\$ 27,589
Zoning Bd of App Expenses	\$ 1,386	\$ 1,895	\$ 1,880
Zoning Bd of App Total	\$ 28,944	\$ 29,469	\$ 29,469
Police Salaries	\$ 3,617,019	\$ 3,535,629	\$ 3,713,254
Police Expenses	\$ 224,012	\$ 229,982	\$ 251,845
Police Total	\$ 3,841,032	\$ 3,765,611	\$ 3,965,099
Fire Salaries	\$ 3,900,618	\$ 4,125,389	\$ 4,142,326
Fire Expenses	\$ 372,483	\$ 242,100	\$ 250,576
Fire Total	\$ 4,273,100	\$ 4,367,489	\$ 4,392,902
Building Ins Salaries	\$ 236,940	\$ 236,899	\$ 237,079
Building Ins Expenses	\$ 6,080	\$ 7,184	\$ 7,184
Building Ins Total	\$ 243,019	\$ 244,083	\$ 244,263
Sealer of Wgts & Meas	\$ 5,000	\$ 5,000	\$ 5,000
Animal Control Salaries	\$ 46,934	\$ 48,373	\$ 48,373
Animal Control Expenses	\$ 10,796	\$ 10,064	\$ 10,064
Animal Control Total	\$ 57,730	\$ 58,437	\$ 58,437
Animal Inspect Salaries	\$ 1,800	\$ 1,800	\$ 1,800
Animal Inspect Expenses	\$ -	\$ -	\$ -
Animal Inspect Total	\$ 1,800	\$ 1,800	\$ 1,800
Harbormaster Salaries	\$ 93,000	\$ 93,000	\$ 93,000
Harbormaster Expenses	\$ 49,045	\$ 50,500	\$ 50,500
Harbormaster Total	\$ 142,045	\$ 143,500	\$ 143,500
Education	\$ 40,319,058	\$ 40,650,267	\$ 41,400,104
Education Total	\$ 40,319,058	\$ 40,650,267	\$ 41,400,104
DPW Salaries	\$ 1,562,694	\$ 1,616,378	\$ 1,558,775
DPW Expenses	\$ 532,233	\$ 578,388	\$ 567,388
DPW Total	\$ 2,094,928	\$ 2,194,766	\$ 2,126,163
Snow & Ice	\$ 723,956	\$ 400,000	\$ 400,000
Automotive Fuel	\$ 451,417	\$ 405,374	\$ 405,374

Department	FY11		FY12		FY13 Advisory
	Expended		Budget		Board Recommended
Bd of Health Salaries	\$	184,228	\$	183,742	\$ 183,775
Bd of Health Expenses	\$	23,959	\$	24,117	\$ 24,117
Bd of Health Total	\$	208,187	\$	207,859	\$ 207,892
Council on Aging Salaries	\$	142,901	\$	166,127	\$ 182,335
Council on Aging Expenses	\$	40,377	\$	40,351	\$ 22,351
Cncl on Aging Total	\$	183,278	\$	206,478	\$ 204,686
Veterans Salaries	\$	64,944	\$	68,583	\$ 70,104
Veterans Expenses	\$	365,887	\$	391,265	\$ 394,759
Veterans Total	\$	430,832	\$	459,848	\$ 464,863
Library Salaries	\$	504,893	\$	505,486	\$ 510,880
Library Expenses	\$	148,014	\$	148,300	\$ 115,750
Library Total	\$	652,907	\$	653,786	\$ 626,630
Recreation Salaries	\$	65,665	\$	65,765	\$ 65,865
Recreation Expenses	\$	1,534	\$	1,532	\$ 1,532
Recreation Total	\$	67,199	\$	67,297	\$ 67,397
Trustees of Veterans Memrls	\$	9,571	\$	9,580	\$ 9,580
Historical Commission	\$	2,084	\$	3,780	\$ 3,780
Clam Flats Salaries	\$	396	\$	2,000	\$ 2,000
Clam Flats Expenses	\$	1,000	\$	1,000	\$ 1,000
Clam Flats Total	\$	1,396	\$	3,000	\$ 3,000
Debt Service	\$	4,706,814	\$	4,720,000	\$ 4,773,000
General Insurance	\$	565,489	\$	760,809	\$ 735,809
Retirement	\$	3,768,238	\$	3,736,165	\$ 4,285,250
Employee Benefits	\$	5,232,531	\$	5,756,876	\$ 5,575,655
Unemployment	\$	111,773	\$	150,000	\$ 150,000
Medicare	\$	628,887	\$	650,000	\$ 675,000

Department	FY13 Advisory Board		
	FY11 Expended	FY12 Budget	Recommended
Unclassified Salaries	\$ 702	\$ 1,000	\$ 1,000
Unclassified Expenses	\$ 40,443	\$ 34,600	\$ 30,000
Unclassified Total	\$ 41,145	\$ 35,600	\$ 31,000
Utilities	\$ 433,706	\$ 402,164	\$ 392,185
Total Gen Fund Budget	\$71,396,560	\$72,427,889	\$73,925,940

PASSED BY MAJORITY

ARTICLE 6 The Town **VOTED** to establish revolving funds for certain Town Departments under Massachusetts General Law, Chapter 44, Section 53E1/2 for the fiscal year beginning July 1, 2012, with the specific receipts credited to each fund the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

<u>Authorized to Spend</u>	<u>Revolving Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 2013 Spending Limit</u>
Beach Commission	Beaches	Fees charged for beach stickers, parking at public beach lots and snack bar operations.	Part-time salaries, supplies, other charges and expenses of the beach operations.	\$220,000
DPW	Playing Field Rentals	Fees charged for rental of playing fields.	Part-time salaries, supplies, other charges and expenses of the playing field operations.	\$9,000
School Committee	High School Graphic Arts Program	Fees charged for the graphic arts program.	Part-time staff, supplies and equipment for the program.	\$30,000
School Committee	High School Restaurant Program	Fees charged for the restaurant program.	Part-time staff, supplies and equipment for the program.	\$12,000
School Committee	Boat Building Program	Fees charged for the activities of the boat building program.	Part-time staff, supplies and equipment for the program.	\$7,000
School Committee	Integrated Pre-school Program	Fees charged for the activities of the integrated pre-school program.	Part-time staff, supplies and equipment for the program.	\$105,000

School Committee	Community Education Program Fund	Fees charged for summer school and adult education.	Services of the continuing education program staff, supplies and equipment.	\$43,000
School Committee	Driver Education Program Fund	Fees charged for Driver education program.	Driver education staff, supplies, and equipment.	\$60,000
School Committee	Student Parking Fund	Fees charged to students for parking.	Expenses associated with school parking lot maintenance and monitoring.	\$36,000
Council on Aging	GATRA Bus	Reimbursement for Services	Expenses associated with transportation services for COA	\$43,000
Seth Ventress Rental	Selectmen	Fees for Rental of Seth Ventress Building	Expenses associated with maintenance of the Seth Ventress Building	\$1,000
			TOTAL OF ALL FUNDS	\$566,000

PASSED BY MAJORITY

ARTICLE 7 The Town **VOTED** to amend the Personnel Classification and Compensation Bylaw, by striking out Schedule E in its entirety and by substituting therefor the following new Schedule E, such change to be effective as of July 1, 2012:

Annual GRADE	STEP 1	STEP 2	STEP 3	STEP 4
4	\$27,288	\$28,378	\$29,511	\$30,690
5	\$30,101	\$31,303	\$32,556	\$33,849
6	\$33,205	\$34,531	\$35,915	\$37,352
7	\$36,627	\$38,086	\$39,616	\$41,197

8	\$40,392	\$42,015	\$43,691	\$45,437
9	\$45,437	\$46,339	\$48,189	\$50,124
10	\$49,159	\$51,118	\$53,168	\$55,288
11	\$54,222	\$56,390	\$58,635	\$60,984
12	\$59,812	\$62,198	\$64,681	\$67,277
13	\$65,796	\$68,413	\$71,151	\$74,006
14	\$72,103	\$74,985	\$77,978	\$81,093
15	\$79,309	\$82,480	\$85,776	\$89,204

PASSED BY MAJORITY

ARTICLE 8 The Town **VOTED** to appropriate \$2,357,101 to defray Wastewater direct costs and transfer \$426,145 of Wastewater indirect costs to the General Fund, by raising \$2,683,246 of Wastewater Receipts, and using \$100,000 of Wastewater Retained Earnings to fund the total costs of the Wastewater (Sewer) Enterprise Fund as follows:

Wastewater	Fiscal 2012 Budget	Fiscal 2013 Budget
Salaries	\$795,250	\$795,250
Expenses	\$939,500	\$939,500
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$522,351	\$522,351
Appropriated for Direct Cost	\$2,357,101	\$2,357,101
Indirect Costs	\$426,811	\$426,145
Total Cost Wastewater	\$2,783,912	\$2,783,246

PASSED BY MAJORITY

ARTICLE 9 - The Town **VOTED** to appropriate \$2,961,439 to defray Water direct costs and transfer \$643,014 of Water indirect costs to the General Fund, by raising \$3,504,453 of Water receipts, and using \$100,000 of Water Retained Earnings to fund the total costs of the Water Enterprise Fund as follows:

Water	Fiscal 2012 Budget	Fiscal 2013 Budget
Salaries	\$1,078,000	\$1,078,000
Expenses	\$846,000	\$856,000
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$877,788	\$927,439
Appropriated for Direct Cost	\$2,901,788	\$2,961,439
Indirect Costs	\$589,052	\$643,014
Total Cost Water	\$3,490,840	\$3,604,453

PASSED BY MAJORITY

ARTICLE 10

The Town **VOTED** to appropriate \$2,542,031 to defray Solid Waste direct costs and transfer \$202,892 of Solid Waste indirect costs to the General Fund, by raising \$2,394,923 of Solid Waste receipts and using \$350,000 from Solid Waste Retained Earnings to fund the total costs of the Solid Waste Enterprise Fund as follows:

Solid Waste	Fiscal 2012 Budget	Fiscal 2013 Budget
Salaries	\$515,031	\$515,031
Expenses	\$1,972,000	\$1,977,000
Emergency Reserve	\$50,000	\$50,000
Debt Service	\$ 0.00	\$ 0.00
Appropriated for Direct Cost	\$2,537,031	\$2,542,031
Indirect Costs	\$209,835	\$202,892
Total Cost Solid Waste	\$2,746,866	\$2,744,923

PASSED BY MAJORITY

ARTICLE 11 The Town **VOTED** to accept the provisions of Chapter 41 Section 110A and further voted that the Town Hall shall be closed on all Saturdays.

PASSED BY MAJORITY

ARTICLE 12 The Town **VOTED** to appropriate \$10,850 to replace the Waterwheel at Veterans Memorial Park and to fund such appropriation transfer \$10,850 from Free Cash.

PASSED BY MAJORITY

ARTICLE 13 - The Town **PASSED OVER** raising and appropriating \$35,000 from the fiscal year 2013 tax levy to be used for the emergency repair of private ways. Said funds to be expended under the direction of the Superintendent of Public Works and the general supervision of the Board of Public Works.

PASSED OVER

ARTICLE 14 - The Town **PASSED OVER** raising and appropriating \$30,000 from the fiscal year 2013 tax levy to be used for grading of dirt roads. Said funds to be expended under the direction of the Superintendent of Public Works and the general supervision of the Board of Public Works.

PASSED OVER

ARTICLE 15 The Town **VOTED** to appropriate \$756,854 from funds available to the Town under Massachusetts General Law Chapter 90, Section 34(2)(a).

PASSED BY MAJORITY

ARTICLE 16 The Town **VOTED** to amend the Zoning Bylaw Article XV Floodplain Zoning by deleting the entire existing Article XV and replacing it with the following new Article XV.

ARTICLE XV **FLOODPLAIN ZONING**

Section Purpose - The purposes of this Bylaw are to: protect human life and health and
15.01 minimize danger to emergency response officials in the event of flooding; minimize expenditure of public money for flood control projects and emergency response and clean up; reduce damage to public and private property and utilities resulting from flooding waters and debris; and ensure that the Town of Marshfield qualifies for participation in the National Flood Insurance Program.

Section Applicability - This Bylaw applies as an overlay district to all Areas of Special
15.02 Flood Hazard located within the jurisdiction of the Town of Marshfield and designated as Zone A, AE, AH, AO, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Marshfield are panel numbers 25023C0116J, 25023C0117J, 25023C0118J, 25023C0119J, 25023C0136J, 25023C0137J, 25023C0138J, 25023C0139J, 25023C0143J, 25023C0207J, 25023C0226J, 25023C0227J, 25023C0228J, 25023C0229J, 25023C0231J, 25023C0232J, 25023C0233J, 25023C0234J, 25023C0237J, and 25023C0241J, dated July 17, 2012. This area shall be known as the Floodplain District. The exact boundaries of the District may be defined by the base flood elevations shown on

the FIRM and further defined by the FEMA Plymouth County Flood Insurance Study (FIS) booklet dated July 17, 2012. The FIRM and FIS booklet are incorporated herein by reference. In the event any provisions of this bylaw are in conflict with requirements for any other districts, the more restrictive regulation shall take precedence.

Section 15.03 Floodplain Permits - Permits for development and uses of land within the Floodplain District shall be required for the following. Such applications shall be obtained prior to or in conjunction with building permits if necessary:

1. new construction of residential and non-residential structures;
2. substantial improvement (as defined) of any existing structure;
3. expansion of the footprint of any existing structure;
4. alteration of topography (as defined).

Section 15.04 Contents of Applications - Applications for floodplain permits shall be made to the Building Inspector except where indicated below. Applications shall contain:

1. elevation in relation to mean sea level of the lowest floor (including basements or cellars) of all existing and proposed structures;
2. elevation in relation to mean sea level of existing and proposed floodproofing;
3. signed statement by a registered professional engineer or architect that the requirements of this bylaw have been met; (NOTE: The above-referenced requirements may be met through submission of a FEMA Elevation Certificate.)
4. plans for any breakaway walls to be used to enclose space below the base flood elevation (in V zones);
5. description of topographic alterations including existing and proposed grades and a delineation of the Special Flood Hazard Area boundary line;
6. site plan certified by a registered land surveyor showing all existing and proposed natural and constructed features on the property. The site plan shall include a notation of the Special Flood Hazard Area designation for all existing and proposed structures.

7. base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within Zone A, where such data is not provided on the FIRM.

Section 15.05 Standards - Areas of Special Flood Hazard - All permits granted under Section 3 above shall be subject to the following provisions:

1. All development and redevelopment, whether permitted by right or by special permit, shall be in accordance with the standards of the Massachusetts State Building Code, the Wetlands Protection Act (Chapter 131, Section 40) and regulations (310 CMR 10.00, 310 CMR 13.00, and 310 CMR 12.00), septic system regulations (310 CMR 15, Title 5), and all other applicable federal, state and local requirements. Any variance from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.
2. The lowest floor (including basement or cellar) of any new or substantially improved residential structure shall be elevated to or above the base flood elevation level. In determining the base flood elevation, consideration shall be given to the actual field conditions where they indicate a flood elevation higher than that shown on the FIRM maps. Applicants for such structures are strongly encouraged to design structures to elevate them an additional foot above the base flood elevation level to account for mapping variations, greater than 100 year storms and relative sea level rise.
3. In any new residential structure, there shall be no basement or construction below the base flood elevation and upon substantial improvement or expansion of any existing residential structure, no new basement shall be installed below the base flood elevation.
4. The lowest floor (including basement or cellar) of any new and substantially improved nonresidential structure shall be elevated to or above the base flood elevation level or be floodproofed (as defined in the Massachusetts State Building Code) to this level.
5. All utilities shall be located and constructed at or above base flood elevation to reduce or eliminate flood damage.
6. No alteration of topography shall be permitted where it may result in increased runoff or drainage to the detriment of other property owners or the town.
7. Certification by a registered professional engineer or architect for all floodproofing measures shall be required.

8. Storage of fuel oil, toxic or hazardous materials below the base flood elevation shall be floodproofed.
9. Within Zones AH and AO, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section 15.06 Additional Requirements in Velocity (V) Zones - If proposed construction or alteration of topography is located within a V Zone on the FIRM maps, all floodplain permits granted under Section 3 above shall be subject to the following additional requirements:

1. All new construction within V Zones shall be located landward of the reach of mean high tide.
2. All new construction and substantial improvements within the V Zones shall be elevated on adequately anchored pilings or columns and securely anchored to such piles or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level. In determining the base flood elevation, consideration shall be given to the actual field conditions where they indicate a flood elevation higher than that shown on the FIRM maps. A registered professional engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and storm overwash. Applicants for new or substantially improved structures are strongly encouraged to design structures to elevate them an additional foot above the base flood elevation level to account for mapping variations, greater than 100 year storms and relative sea level rise.
3. All new construction and substantial improvement within V Zones shall have the space below the lowest floor free of obstructions or be constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support of the structure. Such space shall not be used for human habitation. All breakaway walls on the ocean side of a building shall be hinged or otherwise secured at the top in a manner which allows for the free passage of water under the structure.
4. The use of fill for structural support of buildings within V Zones is prohibited.
5. Man-made alteration of coastal dunes within V Zones is prohibited where such alteration could result in increased flood damage.

Section Floodways - All encroachments, including fill, new construction, substantial

15.07 improvements to existing structures, and other development is prohibited in the floodway as designated on the Marshfield FIRM maps. Along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to determine the extent of the floodway.

Section 15.08 Administration - The Building Inspector shall administer this Bylaw as follows:

1. Review proposed construction and alteration of topography within the Floodplain District to assure that all necessary permits have been received from those federal, state and local governmental agencies from which approval is required and ensure that the requirements of this Bylaw have been met.
2. Maintain records of the elevation of the lowest floor (in relation to NGVD), including basement, of all new or substantially improved structures. In addition, maintain records as to whether or not such structures contain a basement.
3. If a structure has been floodproofed, maintain records of the elevation of the lowest floor and the elevation to which the structure was floodproofed, including the required engineering certification.
4. Maintain for public inspection all records pertaining to the provisions of this bylaw.
5. Provide notice to the following of any alterations or relocation of a watercourse and ensure that such activity does not diminish the flood carrying capacity of such watercourse:
 - Adjacent Communities
 - NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
 - NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

Section 15.09 Special Permits

1. The Zoning Board of Appeals may grant a special permit modifying the performance standards in 15.05 and 15.06 for the following:
 - a. Non-residential structures such as boathouses, boatyards, structures designed for education and research, the nature of which require their location within the Floodplain District; and
 - b. Restoration and reconstruction of structures listed in the National or State Register of Historic Places.
2. Special Permits shall only be issued upon a determination by the Zoning Board of Appeals that:
 - a. failure to grant the Special Permit would result in exceptional hardship to the applicant;
 - b. the granting of a Special Permit will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or conflict with existing bylaws; and
 - c. the relief granted is the minimum necessary considering the flood hazard.
 - d. all subdivision proposals are designed to assure that such proposals minimize flood damage; all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and adequate drainage is provided to reduce exposure to flood hazards.
3. Any applicant to whom a Special Permit is granted shall be given written notice that the proposed development may result in increased risk to life and property and increased flood insurance premium rates.
4. The Zoning Board of Appeals, as the Special Permit Granting Authority (SPGA), may adopt rules and regulations relative to the issuance of such Special Permits and file a copy with the Town Clerk. The Board shall follow the procedural requirements for Special Permits as set forth in Chapter 40A, Section 9.

(Section 15.00 Floodplain Zoning Amended April 2006 ATM)

PASSED BY 2/3rds VOTE

ARTICLE 17 The Town **VOTED** to appropriate \$113,000 to fund an update of the Town's Master Plan and to fund such appropriation authorize the Treasurer with the approval of the Board of Selectmen to borrow \$113,000 under Massachusetts General Laws, Chapter 44.

PASSED BY 2/3rds VOTE

ARTICLE 18 The Town **VOTED** to amend the Marshfield Zoning Bylaw, Article III Establishment of Zoning Districts,

1. Section 3.03 Zoning Map, by deleting the date listed in section 3.03: "May 5, 2008" and inserting a new effective date. The date of the new Zoning Map (date approved by voters at the 2012 Annual Town Meeting) shall be inserted in Section 3.03 so that the amended Section 3.03 reads as follows:

"Section 3.03 Zoning Map - The location and boundaries of the Zoning Districts are hereby established as shown on a map titled "Zoning Map of the Town of Marshfield, Massachusetts" dated April 24, 2012 with revisions through April 24, 2012 which accompanies and is hereby declared to be part of this Bylaw. The authenticity of the Zoning Map shall be identified by the signature of the Town Clerk, and the imprinted seal of the town under the following words: "This is to certify that this is the Zoning Map of the Town of Marshfield, Massachusetts, referred to in the Zoning Bylaw of the Town of Marshfield, Massachusetts, which was approved by the Town on April 24, 2012 with revisions through April 24, 2012."

2. Amend Section 3.04 Changes to Map to be as follows:

"Section 3.04 Changes to Map - Any change in the location of boundaries of a Zoning District hereafter made through the amendments of this Bylaw shall be indicated by the alteration of such map, such changes to be dated and authenticated as prescribed in Section 3.03. The map thus altered is declared to be part of this Bylaw thus amended. The Town Clerk shall be responsible for certifying all changes to the Zoning Map. Such changes shall be made within 14 days of the final approval of the Attorney General's Office. An Official copy of the Zoning Map shall be located in the office of the Town Clerk. Photographic reductions of this large-scale map may serve as copies of the Zoning Map."

PASSED BY 2/3rds VOTE

ARTICLE 19 The Town **VOTED** to raise and appropriate the sum of \$25,000 from the fiscal year 2013 tax levy for the purpose of providing Senior Citizen Real Estate Tax Vouchers for services rendered pursuant to an agreement to be formulated between the Council on Aging and the Board of Selectmen.

PASSED BY MAJORITY

ARTICLE 20 The Town **VOTED** to appropriate \$200,000 for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and to fund such appropriation by borrowing from the Massachusetts Water Pollution Abatement Trust.

PASSED BY 2/3rds VOTE

ARTICLE 21 The Town **VOTED** to accept the provisions of MGL Chapter 59, Section 5, Clause 54 allowing the town to exempt \$2,000.00 of fair cash value on personal property accounts to be taxed beginning with fiscal year FY2013.

PASSED BY MAJORITY

ARTICLE 22 - Item 1 - Community Housing - Affordable Housing Coordinator:
The Town **VOTED** that \$65,000 be appropriated from FY2013 Community Preservation Fund revenues to fund the compensation of a Housing Coordinator to support and implement the Affordable Housing Plan submitted by the Housing Partnership.

PASSED BY MAJORITY

ARTICLE 22 - Item 2 - Community Housing - Expenses for Conversion:
The Town **VOTED** that \$71,574 be appropriated from FY2013 Community Preservation Fund revenues to fund expenses related to the conversion of existing market rate housing to affordable housing.

PASSED BY MAJORITY

ARTICLE 22 - Item 3 - Community Housing -Expenses for Conversion:

The Town **VOTED** that \$212,666 be appropriated from FY2013 Community Preservation Fund revenues to fund expenses related to the conversion of existing market rate housing to affordable housing.

PASSED BY MAJORITY

ARTICLE 22 - Item 4 - Historic Resources:

The Town **VOTED** that \$40,000 be appropriated from FY2013 Community Preservation Fund revenues to move the Daniel Webster Law Office back to the Daniel Webster Estate and complete necessary repairs to the building.

PASSED BY MAJORITY

ARTICLE 22 - Item 5 - Historic Resources:

The Town **VOTED** that \$5,437 be appropriated from FY2013 Community Preservation Fund revenues for the process of restoring grave sites and grave markers and recording the data of the individuals interred at the Howland Cemetery.

PASSED BY MAJORITY

ARTICLE 22 - Item 6 - Recreation:

The Town **VOTED** to appropriate \$985,000 from which \$212,173 will be appropriated from FY2013 Community Preservation Fund revenues and \$772,827 from Community Preservation Budgeted Reserve to create Athletic Fields on town owned land off Rockwood Road (Assessors' Map D09-01-17).

PASSED BY MAJORITY

ARTICLE 22 - Item 7 - Open Space:

The Town **VOTED** that \$136,574 of FY2013 Community Preservation Fund revenues be reserved for Open Space Reserve.

PASSED BY MAJORITY

ARTICLE 22 - Item 8 - Historic Resources:

The Town **VOTED** that \$91,137 of FY2013 Community Preservation Fund revenues be reserved for Historic Resources Reserve.

PASSED BY MAJORITY

ARTICLE 22 - Item 9 - Community Housing:

The Town **VOTED** that \$ -0- from FY2013 Community Preservation Fund revenues be reserved for the Community Housing Reserve.

PASSED BY MAJORITY

ARTICLE 22 - Item 10 - Administration:

The Town **VOTED** that \$60,500 be appropriated from FY2013 Community Preservation Fund revenues for CPA Administrative Operating Expenses.

PASSED BY MAJORITY

ARTICLE 22 - Item 11- Budgeted Reserve:

The Town **VOTED** that \$470,681 from FY2013 Community Preservation Fund revenues be reserved for the Budgeted Reserve.

PASSED BY MAJORITY

ARTICLE 23 - The Town of Marshfield **VOTED** to support the Nuclear Regulatory Commission (NRC) postponing a final decision on Pilgrim's application to extend its license an additional 20 years until all safety improvements recommended by the NRC as a result of lessons learned from the failures of similarly designed reactors in Fukushima, Japan, are understood and fully implemented.

The Clerk of Marshfield shall forward the text and vote from this article to the Nuclear Regulatory Commission and Entergy Corp., so that the intent of the citizens of Marshfield is widely known.

PASSED BY MAJORITY
YES 238 NO 31

ARTICLE 24 - The Town **VOTED** to raise and appropriate the sum of \$3,400 from the fiscal year 2013 tax levy for the support of the Clift Rodgers Free Library and the YWCA, Marshfield Branch, the sum to be divided equally.

PASSED BY MAJORITY

ARTICLE 25 - The Town of Marshfield **PASSED OVER** raising and appropriating the sum of \$3,500 from the fiscal year 2013 tax levy to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

PASSED OVER

ARTICLE 26 - The Town **VOTED** to raise and appropriate from the fiscal year 2013 tax levy a total of \$850 for one Non-Profit Organizations to contract for services to Marshfield residents:

1. SOUTH COASTAL COUNTIES LEGAL SERVICES (\$0) for free civil matter legal services for low income families and their children,
2. SOUTH SHORE WOMEN'S RESOURCE CENTER (\$850) for free domestic violence intervention and prevention services that empower women and children to lead lives free of violence,
3. A NEW DAY (\$0), a program of Health Imperatives, (formerly Womansplace Crisis Center) for free services for victims of sexual assault.

PASSED BY MAJORITY

ARTICLE 27 The Town of Marshfield **PASSED OVER** allowing the Peregrine White Farm Realty Trust (or its representatives) to list the Town of Marshfield (thru the Board of Selectmen) as a co-applicant on granting requests – for the purpose of protecting the historical Peregrine White Farm as public open space and authorize the Board of Selectmen to accept all forms of donations, and take other actions, related to the purpose of protecting the Peregrine White Farm as public open space.

PASSED OVER